

## Remarks

### **I. Status and Nature of the Invention**

Claims 1-28 and 35-46 are pending. All claims stand free of the prior art.

### **II. The Rejections of Claims 10-11, 14-16, 19, 20-23, 26-28, and 44-46 Pursuant to 35 U.S.C. § 112, Second Paragraph**

Claims 10-11, 14-16, 19, 20-23, 26-28, and 44-46 have been rejected pursuant to 35 U.S.C. §112, second paragraph as indefinite in light of their recitations of “about” and “high.” The Examiner has suggested that those of ordinary skill would find these terms, as used in the presented claims to be indefinite.

In the interest of advancing the prosecution of the present Application, Applicants have amended the claims to delete the term “about” in claims 10-11, 14-16, 19, 21-23, 26-28, and 44-45. No new matter has been added by these amendments. Applicants respectfully submit that such amendments fully respond to the Examiner’s concerns and places claims 10-11, 14-16, 19, 26-28, and 44-46 in condition for Allowance.

Applicants note the Examiner’s concern regarding the use of the term “*high* viscosity” in claims 20-23. Applicants have amended these claims to clarify that the claimed method results in the production of a modified chitosan polymer or oligomer having a higher viscosity in solution than that of the initially present, unreacted, chitosan or oligomer. The amended claims are fully supported by the originally filed Specification. Support for this amendment can be found, *inter alia*, in the Specification at page 31, lines 7-15 (and in particular lines 13-14, wherein the specification states that the modified chitosan polymers exhibited enhanced viscosity), and on page 31, lines 20-21, wherein the specification states that viscosity increased over time. No new matter has been added by

these amendments. Applicants respectfully submit that such amendments fully respond to the Examiner's concerns and places claims 20-23 in condition for Allowance.

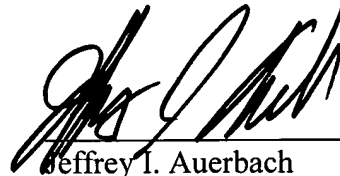
Applicants therefore respectfully submit that the rejection of claims 10-11, 14-16, 19, 20-23, 26-28, and 44-46 pursuant to the second paragraph of 35 U.S.C. §112 as indefinite may now be properly withdrawn.

### III. Concluding Remarks

Having now fully responded to all outstanding rejections and objections, Applicants respectfully submit that the present application is in condition for Allowance, and earnestly solicit early notice of such favorable action. The Examiner is respectfully invited to contact the undersigned with respect to any issues regarding this application.

Respectfully Submitted,

Date: 7/25/2005  
Berenato, White & Stavish, LLC  
6550 Rock Spring Drive, Suite 240  
Bethesda, MD 20817  
Tel: (301) 896-0600 / Fax: (301) 896-0607

  
\_\_\_\_\_  
Jeffrey I. Auerbach  
Reg. No. 32,680  
Attorney for Assignee